

Wetlands Bureau Decision Report

Decisions Taken
12/12/2005 to 12/18/2005

DISCLAIMER:

This document is published for information purposes only and does not constitute an authorization to conduct work. Work in jurisdiction may not commence until the applicant has received a posting permit.

Decisions are subject to appeal, and are reviewed by the federal agencies for compliance with Section 404 of the Federal Clean Water Act.

APPEAL:

I. Any affected party may ask for reconsideration of a permit decision in accordance with RSA 482-A:10,II within 20 days of the Department's issuance of a decision. Requests for reconsideration should:

- 1) describe in detail each ground for complaint. Only grounds set forth in the request for reconsideration can be considered at subsequent levels of appeal;
- 2) provide new evidence or information to support the requested action;
- 3) Parties other than the applicant, the town, or contiguous abutters must explain why they believe they are affected; and
- 4) Be mailed to the DES Wetlands Bureau, PO Box 95, Concord, NH 03302-0095.

II. An appeal of a decision of the department after reconsideration may be filed with the Wetlands Council in accordance with RSA 482-A:10, IV within 30 days of the department's decision. Filing of the appeal must:

- 1) be made by certified mail to Brian Fowler, Chairperson, Wetlands Council, PO Box 95, Concord, NH 03302-0095 (a copy should also be sent to the DES Wetlands Bureau);
- 2) contain a detailed description of the land involved in the department's decision; and
- 3) set forth every ground upon which it is claimed that the department's decision is unlawful or unreasonable.

MAJOR IMPACT PROJECT

2004-00468 OCONNELL, MARK & DEBRA
MOULTONBOROUGH Lake Winnepesaukee

Requested Action:

Fill an additional 336 sq ft to replace an existing 600 sq ft breakwater with a 936 sq ft, 68 linear ft breakwater, in a dog-leg configuration with a 15 ft gap at the shoreline, a 5 ft x 30 ft cantilevered pier and two 3 ft x 30 ft piling piers connected by a 5 ft x 40 ft cantilevered walkway in an "F" configuration, with 12 ft x 30 ft seasonal canopy, and two seasonal PWC lifts on an average of 141 ft of frontage on Long Island, Lake Winnepesaukee.

Conservation Commission/Staff Comments:

Con Com questions need for modification and that a canopy would not work in this area due to wind conditions.

APPROVE PERMIT:

Fill an additional 336 sq ft to replace an existing 600 sq ft breakwater with a 936 sq ft, 68 linear ft breakwater, in a dog-leg configuration with a 15 ft gap at the shoreline, a 5 ft x 30 ft cantilevered pier and two 3 ft x 30 ft piling piers connected by a 5 ft x 40 ft cantilevered walkway in an "F" configuration, with 12 ft x 30 ft seasonal canopy, and two seasonal PWC lifts on an average of 141 ft of frontage on Long Island, Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with plans by DeGrace Design revised October 10, 2005, as received by the Department on October 19, 2005.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
4. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
5. These shall be the only structures on this water frontage and all portions of the structures, including the breakwater toe of slope, shall be at least 20 ft from the abutting property lines or the imaginary extension of those lines into the water.
6. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
7. No portion of breakwater as measured at normal full lake shall extend more than 50 feet from normal full lake shoreline.
8. The breakwater shall not exceed 3 feet in height (Elev. 507.32) over the normal high water line (Elev. 504.32).
9. The width as measured at the top of the breakwater (Elev. 507.32) shall not exceed 3 feet.
10. Rocks may not remain stockpiled on the frontage for a period longer than 60 days. Rocks shall not be stockpiled with 20 ft of any property line or the extension of any property line over the water.
11. Photos showing that all construction materials have been removed from the temporary stockpile area shall be submitted to the Bureau upon completion of the docking facility.
12. This facility is permitted with the condition that future maintenance dredging, if needed, shall not be permitted more frequently than once every 6 years, and that a new permit shall be required for each dredge activity.
13. The owner understands and accepts the risk that if this facility requires dredging to maintain a minimum slip depth of 3 feet, more frequently than once every 6 years, or is shown to have an adverse impact on abutting frontages, it shall be subject to removal.
14. The breakwater shall have an irregular face to dissipate wave energy.
15. Support pilings shall be spaced a minimum of 12 ft apart as measured center to center.
16. Canopies shall be of seasonal construction type with a flexible fabric cover which shall be removed for the non-boating season.
17. All seasonal structures shall be removed for the non-boating season.
18. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This project is classified as a major project per Rule Wt 303.02(j), construction of a breakwater.
2. The construction of a breakwater to provide safe docking at this site is justified in accordance with Rule Wt 402.06, Breakwaters.
3. The applicant has an average of 141 feet of shoreline frontage along Lake Winnepesaukee.
4. A maximum of 2 slips may be permitted on this frontage per Rule Wt 402.12 Frontage Over 75'.
5. The proposed docking facility will provide 2 slips as defined per RSA 482-A:2, Boat slip, and therefore meets Rule Wt 402.12.
6. Public hearing is waived based on field inspection, by NH DES staff, on December 1, 2004, with the finding that the project impacts will not significantly impair the resources of Lake Winnepesaukee.
7. Field inspection on December 1, 2004 found no obvious evidence of sand migration along this shoreline.

-Send to Governor and Executive Council-

2004-01658 DELUCA, VINCENT
HILLSBOROUGH Unnamed Wetland

Requested Action:

Dredge and fill 32,826 square feet of palustrine emergent and scrub-shrub wetlands for construction of a retail development. Preserve 19.8 acres, consisting of 13.8 acres of uplands and 5 acres of wetlands as compensatory mitigation for wetland impacts, to be conveyed to the Town of Hillsborough.

Conservation Commission/Staff Comments:

The CNBLAC on July 26, 2004, requested that a complete review be conducted by all responsible agencies prior to any approval of a wetlands permit.

The August 11, 2004 letter from the Conservation Commission requested consideration for alternatives to the proposed full build out. They question how a proper review can be conducted based on the lack of details provided with the application.

On March 2, 2005, the Hillsborough conservation commission questioned the benefit of the proposed wetland creation and suggested the establishment of off-site mitigation through land preservation would be a greater environmental benefit.

On November 17, 2005, the Hillsborough Conservation Commission stated a willingness to accept the proposed conservation easement if the project is approved.

Inspection Date: 12/03/2004 by Jeffrey D Blecharczyk

Inspection Date: 08/11/2005 by Jeffrey D Blecharczyk

APPROVE PERMIT:

Dredge and fill 32,826 square feet of palustrine emergent and scrub-shrub wetlands for construction of a retail development. Preserve 19.8 acres, consisting of 13.8 acres of uplands and 5 acres of wetlands as compensatory mitigation for wetland impacts, to be conveyed to the Town of Hillsborough.

With Conditions:

1. All work shall be in accordance with plans by Sain Associates:
 - a) Sheets C0-R1, S1-R1, CB3-R1, C5-R1, C8-R1, and C9-R1, dated 02/22/05; and
 - b) Sheets C1-R2, C2-R2, C3A-R2, and C4-R2; as received by the Department on May 25, 2005.
2. This permit is contingent on approval by the DES Site Specific Program.
3. The permittee shall coordinate with the NH Division of Historic Resources to assess and mitigate the project's effect on historic resources.
4. At least 48 hours prior to the start of construction, a pre-construction meeting shall be held with NHDES Land Resources

Management Program staff at the project site or at the DES Office in Concord, N.H. to review the conditions of this wetlands permit and the NHDES Site Specific Permit. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, his/her professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.

5. Work shall be done during low or non flow.

6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.

7. Culvert outlets shall be protected in accordance with the DES Best Management Practices for Urban Stormwater Runoff Manual (January 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August 1992).

8. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

9. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.

10. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.

Wetland preservation:

11. This permit is contingent upon the execution of a conservation easement on 19.8 acres as depicted on plans received by the Department on November 15, 2005.

12. The conservation easements to be placed on the preservation areas shall be written to run with the land, and both existing and future property owners shall be subject to this easement.

13. The plan noting the conservation easement with a copy of the final easement language shall be recorded with the Registry of Deeds Office for each appropriate lot. A copy of the recording from the County Registry of Deeds Office shall be submitted to the DES Wetlands Bureau prior to the start of construction.

14. The applicant shall prepare a report summarizing existing conditions within the conservation area. Said report shall contain photographic documentation of the easement area, and shall be submitted to the DES and the grantee prior to construction to serve as a baseline for future monitoring of the easement area.

15. The conservation easement area shall be surveyed by a licensed surveyor, and marked by monuments [stakes] prior to construction.

16. The Wetlands Bureau shall be notified of the placement of the easement monuments to coordinate on-site review of their location prior to construction.

17. There shall be no removal of the existing vegetative undergrowth within the easement area and the placement of fill, construction of structures, and storage of vehicles or hazardous materials is prohibited.

18. Activities in contravention of the conservation easement shall be construed as a violation of RSA 482-A, and those activities shall be subject to the enforcement powers of the Department of Environmental Services (including remediation and fines).

19. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. This project proposes 32,826 sq ft of impacts to palustrine forested and emergent, constructed wetlands, and is therefore a major impact project per Administrative Rule Wt 303.02(c) Projects that involve alteration of nontidal wetlands, nontidal surface waters, and banks adjacent to nontidal surface waters in excess of 20,000 square feet in the aggregate;

2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.

3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.

4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.

5. DES Staff conducted a field inspection of the proposed project on December 3, 2004. Field inspection determined the proposed impacts involve man-made and natural wetlands which require additional review related to past activities on the subject lots.

6. DES Staff conducted a field inspection of the proposed project and updated off-site mitigation on August 11, 2005. Field inspection reaffirmed the site locations have been previously altered and the revised application accurately represents the existing

conditions. Additional information needs to be submitted for a comprehensive assessment of the off-site mitigation parcel.

7. Wetlands permit #1996-231, was conditioned for no further impacts on Lot 404. The proposed 1,773 sq ft of impacts on lot 404 are created drainages, created since the approval of permit 1996-231 and does not involve any portion of the constructed wetlands approved for mitigation.

8. The 14,000 sq ft of proposed impacts on the east side of lot 20 would alter a man-made detention basin. The basin was created for stormwater control and not identified as mitigation for impacts approved under NHDES Wetlands Permit #1988-2793.

9. The original wetland complex located in the vicinity of the detention basin on the east side of Lot 20 was approved for alteration under Wetlands Permit #1988-2793.

10. Review of Wetlands file 2001-1232, documented that in 2001, Nobis Engineering, Inc. determined it was unlikely that relocation of the existing detention basin from the east side of Lot 20 to the north side would result in any significant reduction of recharge to the wells.

11. There is no recorded presence of threatened or endangered species in the direct vicinity of the proposed project.

12. The project will impact 32,826 square feet of jurisdictional wetlands and therefore requires compensatory mitigation.

13. This permit is contingent on the execution of a conservation easement on 19.8 acres, of which approximately 5 acres are wetlands, as a form of compensatory mitigation for impacts to wetlands and surface waters.

14. The proposed conservation area exceeds the minimum compensatory mitigation ratio required by Wt 803.05.

15. The proposed mitigation parcel is adjacent to and contiguous with Shed Brook.

16. The proposed compensatory mitigation parcel is to be conveyed to the Town of Hillsborough.

2005-00617 CALDON, JOHN
NOTTINGHAM Pawtuckaway Lake

Requested Action:

Applicant proposes to dredge approximately 60 cubic yards of material from 1600 sqft of the lakebed on Pawtuckaway Lake, Nottingham.

Conservation Commission/Staff Comments:

No Con Com comments by 6/15/05

Inspection Date: 06/16/2005 by Chris T Brison

Inspection Date: 11/30/2005 by Dale R Keirstead

Inspection Date: 12/08/2005 by Dale R Keirstead

DENY PERMIT:

Applicant proposes to dredge approximately 60 cubic yards of material from 1600 sqft of the lakebed on Pawtuckaway Lake, Nottingham.

With Findings:

Standards for Approval

1. In accordance with RSA 482-A:3, Excavating and Dredging Permits, "[n]o person shall excavate, remove, fill, dredge or construct any structures in or on any bank, flat, marsh, or swamp, or in an adjacent to any waters of the state without a permit from the department."

2. In accordance with Rule Wt 302.04(a), Requirements for Application Evaluation, the applicant is required to demonstrate "the need for the proposed impact."

3. This project is classified as a major impact per Rule Wt 303.02(g), removal of more than 20 cubic yards of rock, gravel, sand, mud, or other material from public waters.

Findings of Fact

4. On April 4, 2005, the Wetlands Bureau received an application to dredge approximately 61 cubic yards from 1650 sq ft of recently transported sediment from the bed of Pawtuckaway Lake in front of property identified as Nottingham tax map 71, lots 80

and 81,(the "Property").

5. On June 16, 2005, the Department conducted an inspection of the Property. Field inspection found sufficient depth for boat docking and did not find evidence of the need for the proposed dredge.
6. On June 16, 2005, the Department sent a Request for More Information letter requesting the information as required pursuant to Wt 302.04.
7. On July 22, 2005, the Department met with the Applicant to discuss the letter dated June 16, 2005. Among the items specifically discussed were the requirement that the Applicant demonstrate the need for the impacts and provide clear, detailed plans that completely define the proposed project.
8. On September 27, 2005, the Department received a response to the Request for More Information letter dated June 16, 2005. The information submitted included a new plan for the proposed dredge area. The information submitted did not include evidence supporting the need for the proposed impacts.
9. On October 27, 2005, the Department sent a second Request for More Information again requesting evidence supporting the need for the proposed impacts as required by Wt 302.04.
10. On November 11, 2005, the Department received a phone call from the Applicant during which he stated he didn't need to submit the information as required by Wt 302.04.
11. On November 30, 2005, the Department conducted a second field inspection of the site. Field inspection found only natural lakebed present and no evidence supporting the need for the proposed dredge. Field inspection also found that the plan submitted on September 27, 2005 did not accurately represent the frontage contours and features.
12. On December 8, 2005, the Department conducted a third field inspection during which the Applicant stated the proposed dredge was necessary for weed control and to return the lakebed to its original topography. The conditions observed on site did not support the need for the dredge as stated by the Applicant.
13. Discussion with the NH DES Limnology Center staff found that dredging would not be considered an appropriate method to control for weeds in this location.

Rulings in Support of the Decision

14. The applicant has failed to provide evidence of the need for the proposed impacts as required per Rule Wt 302.04(a)(1) and requested in the Request for More Information Letter dated June 16, 2005, meeting July 22, 2005, and Request for More Information Letter dated October 27, 2005, therefore the application is denied.

2005-02289 LINDENTHAL, STEPHANIE **RYE Piscataqua River Back Channel**

Requested Action:

Construct a 6'x45' fixed pier to a 3'x30' seasonal ramp to a 10'x24' seasonal float providing two 24' slips on the Piscataqua River Back Channel with 155 feet of shoreline frontage.

Conservation Commission/Staff Comments:

The Rye Conservation Commission did not comment on the application.

Inspection Date: 11/02/2005 by Eben M Lewis

APPROVE PERMIT:

Construct a 6'x45' fixed pier to a 3'x30' seasonal ramp to a 10'x24' seasonal float providing two 24' slips on the Piscataqua River Back Channel with 155 feet of shoreline frontage.

With Conditions:

1. All work shall be in accordance with plans by Pickering Marine Corporation dated 9/23/05, as received by the Department on 9/27/05.
2. Any future work in jurisdiction as specified in RSA 482-A on this property will require a new application and approval by the Department of Environmental Services ("DES") Wetlands Bureau.
3. DES Coastal staff shall be notified in writing prior to commencement of work and upon completion.

4. This permit shall not be effective until recorded at the Rockingham Registry of Deeds Office by the permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau prior to construction.
5. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
6. Work shall be conducted in a manner that avoids excessive discharges of sediments to fish spawning areas.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized.
8. The decking of the fixed pier shall have a minimum of 6 ft. clearance from the surface of the tidal marsh and shall have 3/4-inch spacing between the decking planks and the 3-foot ramp shall have a minimum of 3 ft. clearance from the surface of the tidal marsh.
9. The float of this structure shall be constructed with rails to prevent it from sitting directly on the mud at low tide.
10. This shall be the only structure on this water frontage and all portions of the dock shall be at least 20 ft. from abutting property lines or the imaginary extension of those lines into the water.
11. Seasonal docking structures shall be removed for the non-boating season.

With Findings:

1. This is a major impact project per Administrative Rule Wt 303.02(a), projects in sand dunes, tidal wetland or bogs.
2. Public hearing is waived based on DES staff field inspection on 11/2/2005, with the finding that the project impacts will not significantly impair the resources of this estuarine wetland ecosystem and that the proposed dock will not impede navigation.
3. This dock is consistent with other tidal dock approvals in the seacoast.
5. The NH PDA Division of Ports and Harbors, per letter dated October 12, 2005, reports that this project will have no impact on navigation in the area.
6. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
7. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
8. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) and (c) for tidal projects, Requirements for Application Evaluation, has been considered in the design of the project.

-Send to Governor and Executive Council-

2005-02328 **CHRISTENSEN, JEFF**
DURHAM Back Bay

Requested Action:

Construct a 4' wide x 20' long permanent pier to a 3' wide x 40' long ramp to a 10' wide x 20' long float providing one undersized (20') slip on 300 ft. of shoreline frontage.

Conservation Commission/Staff Comments:

Conservation Commission did not report.

Inspection Date: 12/06/2005 by Dori A Wiggin

APPROVE PERMIT:

Construct a 4' wide x 20' long permanent pier to a 3' wide x 40' long ramp to a 10' wide x 20' long float providing one undersized (20') slip on 300 ft. of shoreline frontage.

With Conditions:

1. All work shall be in accordance with plans by Pickering Marine Corporation dated September 26, 2005, as received by the Department on September 29, 2005.
2. Any future work in jurisdiction as specified in RSA 482-A on this property will require a new application and approval by the Department of Environmental Services ("DES") Wetlands Bureau.
3. The decking of the dock shall have a minimum of 4 ft. clearance from the surface of the tidal marsh and shall have 3/4-inch spacing between the decking planks.

4. This permit shall not be effective until recorded at the Registry of Deeds Office by the permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau prior to construction.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain in until the area is stabilized.
6. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing, by mulching with tack or netting and pinning on slopes steeper than 3:1.
7. This shall be the only structure on this water frontage and all portions of the dock shall be at least 20 ft. from abutting property lines or the imaginary extension of those lines into the water.
8. Work shall be done during low tide.
9. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
10. Work shall be conducted in a manner that avoids excessive discharges of sediments to fish spawning areas.

With Findings:

1. This is a major impact project per Administrative Rule Wt 303.02(a), projects in sand dunes, tidal wetlands, or bogs, except for the repair of existing structures pursuant to Wt 303.04(v).
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01. The applicant currently has no docking structure on the property.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03. The permanent pier is designed at one foot of height for each foot of structure width, with 3/4 inch spacing between decking to prevent shading of the tidal vegetation; has a seasonal ramp and float; and is the minimum length necessary to reach usable water on Great Bay.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) and (c), Requirements for Application Evaluation, has been considered in the design of the project. There were no NH Natural Heritage Bureau or NH Fish and Game hits for this project; this project has been reviewed by the Pease Development Authority Division of Ports and Harbors which determined that the project would have no negative effect on navigation in the channel; and the dock is located greater than 20 feet off the abutting property lines.
5. This dock is consistent with other tidal dock approvals in the seacoast.
6. Public hearing is waived based on DES staff field inspection on December 6, 2005 with the finding that the project impacts will not significantly impair the resources of this estuarine wetland ecosystem.

-Send to Governor and Executive Council-

2005-02387 LARSON, DONALD & MARY
MEREDITH Lake Winnepesaukee

Requested Action:

Dredge 21 cu yd from 653 sq ft of lakebed and excavate at least 864 sq ft of of the bank and protected shoreland to construct a 24 ft x 36 ft dug-in boathouse and replace a 6 ft x 58 ft piling pier with a 6 ft x 25 ft pier extending from a 6 ft x 17 ft 11 in walkway in an "L" configuration on 200 ft of frontage on Lake Winnepesaukee.

DENY PERMIT:

Dredge 21 cu yd from 653 sq ft of lakebed and excavate at least 864 sq ft of of the bank and protected shoreland to construct a 24 ft x 36 ft dug-in boathouse and replace a 6 ft x 58 ft piling pier with a 6 ft x 25 ft pier extending from a 6 ft x 17 ft 11 in walkway in an "L" configuration on 200 ft of frontage on Lake Winnepesaukee.

With Findings:

Standards for Approval

1. In accordance with RSA 482-A:3, "No person shall excavate, remove, fill, dredge or construct any structures in or on any bank, flat, marsh, or swamp in and adjacent to any waters of the state without a permit from the department."

2. In accordance with Rule Wt 302.03, Avoidance and Minimization, the applicant shall demonstrate that his proposal is the alternative with the least adverse impact to areas under the department's jurisdiction.
3. In accordance with Rule Wt 302.04,(d), the department shall not grant a permit if there is a practicable alternative that would have a less adverse impact on the environment.
4. In accordance with the Comprehensive Shoreland Protection Act (the CSPA), RSA 483-B:3, I, "State and local permits for work within the protected shoreland shall be issued only when consistent with the intent and policies of the chapter."
5. Pursuant to the RSA 483-B:2, XI, the development standards established under the CSPA shall serve to "Preserve the state's lakes, rivers, estuaries, and coastal waters in their natural state."
6. In accordance with RSA 482-A:3, applications shall be accompanied by a filing fee. The filing fee for shoreland impact projects is calculated as \$100 plus \$1.00 per sq ft of permanent docking structure, \$0.50 per sq ft of seasonal docking structure and \$0.10 per sq ft of dredge, excavation or fill in jurisdiction.

Findings of Fact

7. On October 6, 2005, the NH DES Wetlands Bureau received an application for 653 sq ft of dredge within the lakebed and at least 864 sq ft of excavation of the bank and protected shoreland of Lake Winnepesaukee for the construction of a 24 ft x 36 ft dug-in boathouse and the replacement of a 6 ft x 58 ft piling pier with a 6 ft x 25 ft pier extending from a 6 ft x 17 ft 11 in walkway in an "L" configuration. This facility would provide 3 slips as defined per RSA 482-A:2.
8. This project is classified as a major project per Rule Wt 303.02(g), dredge of more than 20 cubic yd from public waters.
9. The appropriate filing fee for the requested impacts is \$1288.80.
10. The Applicant submitted \$515.70 in filing fees with the application.
11. The Applicant has an average of 200 ft of frontage along Lake Winnepesaukee.
12. In accordance with Rule Wt 402.12, Frontage Over 75', a maximum of 3 slips may be approved on 200 ft of frontage.
13. The proposed dug-in boathouse will alter the natural shoreline of Lake Winnepesaukee.
14. The Applicant has not provided documentation that the requested docking facility is the least impacting alternative method to provide 3 boat slips on this frontage.
15. A docking facility providing 3 slips could be constructed on the frontage without dredging the lakebed or altering the natural shoreline.

Rulings in Support of the Decision

16. The applicant has failed to provide documentation that the proposal for a dug in boathouse is the least impacting method of providing the requested slips on this frontage, and therefore, the application is denied in accordance with Rule Wt 302.04,(d).
17. The issuance of a permit to excavate the shoreline to construct a dug-in boathouse would not serve to preserve the lake in it's natural state as required per RSA 483-B:2, XI, and therefore is prohibited per RSA 483-B:3, I.
18. The Applicant has failed to submit the filing fee as required per RSA 482-A:3.

2005-02388 ANDERSON, PATRICIA
DOVER Bellamy River

Requested Action:

Install a 5'x10'x18" permanent fixed granite block anchoring pad to a 3'x30' seasonal ramp to a 12'x 20' seasonal float providing one 20' slip on 153' of frontage on the Bellamy River.

Conservation Commission/Staff Comments:

The Dover Conservation Commission endorses the project.

Inspection Date: 08/30/2005 by Eben M Lewis

APPROVE PERMIT:

Install a 5'x10'x18" permanent fixed granite block anchoring pad to a 3'x30' seasonal ramp to a 12'x 20' seasonal float providing

one 20' slip on 153' of frontage on the Bellamy River.

With Conditions:

1. All work shall be in accordance with plans by Pat Anderson dated 8/12/05, as received by the Department on 10/6/05 and revised by Wetlands Bureau staff 12/12/05.
- 1a. Size of float reduced to 12 ft. X 20 ft. per e-mail received following inquiry from Wetlands Bureau staff on need for larger float.
2. Any future work in jurisdiction as specified in RSA 482-A on this property will require a new application and approval by the Department of Environmental Services ("DES") Wetlands Bureau.
3. DES staff shall be notified in writing prior to commencement of work and upon completion.
4. This permit shall not be effective until recorded at the Strafford County Registry of Deeds Office by the permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau prior to construction.
5. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
6. Work shall be conducted in a manner that avoids excessive discharges of sediments to fish spawning areas.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized.
8. The 3-foot ramp shall have a minimum of 3 ft. clearance from the surface of the tidal marsh.
9. The float of this structure shall be constructed with rails to prevent it from sitting directly on the mud at low tide.
10. This shall be the only structure on this water frontage and all portions of the dock shall be at least 20 ft. from abutting property lines or the imaginary extension of those lines into the water.
11. Seasonal docking structures shall be removed for the non-boating season.

With Findings:

1. This is a major impact project per Administrative Rule Wt 303.02(a), projects in sand dunes, tidal wetland or bogs.
2. Public hearing is waived based on DES staff field inspection on 08/30/05, with the finding that the project impacts will not significantly impair the resources of this estuarine wetland ecosystem and that the proposed dock will not impede navigation.
3. This dock is consistent with other tidal dock approvals in the seacoast region.
4. The NH PDA Division of Ports and Harbors, per letter dated 12/1/05, reports that this project will have no impact on navigation in the area.
5. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
6. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
7. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) and (c) for tidal projects, Requirements for Application Evaluation, has been considered in the design of the project.

-Send to Governor and Executive Council-

2005-02854 NH DEPT OF TRANSPORTATION
TAMWORTH Byrant Brook

Requested Action:

Repair and extend a 9 ft. x 4 ft. x 29 ft. concrete box culvert by 6 ft. at the inlet and 7 ft. at the outlet; construct new headers and wingwalls and realign 170 feet of stream into 60 feet of new channel to allow for road widening.

Inspection Date: 08/25/2005 by Gino E Infascelli

APPROVE PERMIT:

Repair and extend a 9 ft. x 4 ft. x 29 ft. concrete box culvert by 6 ft. at the inlet and 7 ft. at the outlet; construct new headers and wingwalls and realign 170 feet of stream into 60 feet of new channel to allow for road widening. NHDOT project #M-302-5.

With Conditions:

1. All work shall be in accordance with Amended plans by NHDOT District 3 as received by the Department on December 9, 2005.
2. Dredged material shall be placed out of the DES Wetlands Bureau jurisdiction.

3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
4. Construction equipment shall not be located within surface waters.
5. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
6. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
7. Extreme precautions to be taken within riparian areas to limit unnecessary removal of vegetation during road construction and areas cleared of vegetation to be revegetated as quickly as possible.
8. There shall be no further alteration to wetlands or surface waters without amendment of this permit.
9. Proper headwalls shall be constructed within seven days of culvert installation.
10. Work shall be done during low flow.
11. The new stream channel shall have a similar substrate as the existing stream.
12. If additional material is required, the channel area shall be excavated to at least an additional 12 in. before adding the substrate material.
13. Woody debris shall be considered as part of the channel construction.
14. Tree cutting shall be limited to that only necessary for equipment to work and trees should be limbed up instead of cutting wherever possible.
15. The DES Wetlands Bureau shall be notified, in writing, of the start and completion of the project.

With Findings:

1. This is a major impact project per Administrative Rule Wt 303.02(i), alteration of more than 200 linear feet of bank and channel.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted a field inspection of the proposed project on August 25, 2005. Field inspection determined that the width between the two guardrails is only 22 ft. and presents a safety problem during plowing operations, especially with the adjacent corner in the road and minimum sight distance.
6. The culvert extension at the outlet is likely to result in erosion of the road embankment if the stream is not rerouted.
7. Permission from the abutting landowner is required for a portion of the plan.
8. The permit conditions intend to provide a shaded channel with a similar stream attributes.
9. DES Staff finds that this project will not have a significant impact on these protected resources and therefore a public hearing is not required.

MINOR IMPACT PROJECT

2004-00976 AUGUST ONE FAMILY TRUST, RUDOLPH & TERRY AUGUST
GOFFSTOWN Unnamed Wetland

Requested Action:

Approve name change to: Timberstone LLC, 317 South River Rd., Bedford NH 03110 per request received 12/12/2005.

Conservation Commission/Staff Comments:

The conservation commission requested a 40 day extension to complete a review of the project on May 20, 2004.

Comments received on July 13, 2004, from the commission dated March 30, 2004. (Items addressed in application process)

Time extension requested by the applicant on April 12, 2005, to establish proposed mitigation.

APPROVE NAME CHANGE:

Dredge and fill 5,063 square feet of intermittent stream channel for installation of a 36 inch x 70 foot culvert to provide access to 5 lots of a proposed 24-Lot subdivision known as Timberstone and establish 55.84 acres as open space.

With Conditions:

1. All work shall be in accordance with plans by True Engineering:
Sheet 1 dated May 5, 2005, sheets 2 and 4-8 dated February 25, 2004, sheet 3 dated March 18, 2004, sheets 9 and 11-17 dated May 9, 2005 and sheet 10 dated January 10, 2005, as received by the Department on May 13, 2005.
2. This permit is contingent on approval by the DES Site Specific Program.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
5. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #4 of this approval.
6. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau.
7. Work shall be done during low or non flow conditions.
8. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
9. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
10. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. This permit transfer is issued in accordance with NH Administrative Rule Wt 502.02.

**2005-00575 GARCEAU, MICHAEL
MOULTONBOROUGH Lake Winnepesaukee**

Requested Action:

Amend permit to change dock from a 6 ft by 43 ft permanent piling pier to a 6 ft by 40 ft seasonal dock anchored to a 4 ft by 7 ft concrete pad section accessed by a 6 ft by 13 ft walkway on 100 ft of frontage on Lake Winnepesaukee.

Conservation Commission/Staff Comments:

Con Com concerned about the number of boatlifts

NH Fish and Game will not be submitting comments

APPROVE AMENDMENT:

Construct a 6 ft by 40 ft seasonal pier attached to a 4 ft by 7 ft anchor pad accessed by a 6 ft by 13 ft walkway, install 2 seasonal boatlifts and 2 single PWC lifts adjacent to the pier on an average of 100 ft of frontage on Lake Winnepesaukee, Moultonborough.

With Conditions:

1. All work shall be in accordance with plans by Winnepesaukee Marine Construction revision date November 11, 2005, as received by the Department on November 17, 2005.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to installation.

3. These shall be the only structures on this water frontage and all portions of the structures shall be at least 20 ft from abutting property lines or the imaginary extension of those lines into the water.
4. Seasonal boatlifts and PWC lifts shall be removed from the lake for the non-boating season.
5. No portion of the pier shall extend more than 43 feet from the shoreline at full lake elevation.
6. Seasonal pier shall be removed from the lake for the non-boating season.
7. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(d), construction of a 2 slip permanent pier.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The seasonal boatlifts and PWC lifts are all located in permitted slips on the frontage.
5. NH Fish and Game will not be submitting comments to the file.

2005-01013 SOUTHERN SPECTRUM LLC
NEW DURHAM Hayes Brook

Requested Action:

Dredge and fill 8170 square feet in jurisdiction including installation of four culverts and two bridges for access to a proposed forestry project.

APPROVE PERMIT:

Dredge and fill 8170 square feet in jurisdiction including installation of four culverts and two bridges for access to a proposed forestry project.

With Conditions:

1. All work shall be in accordance with plans by Beckworth Builders Inc dated April 15, 2005, and revised through November 10, 2005, as received by the Department on November 14, 2005.
2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
3. Work shall be done during periods of non-flow.
4. Work shall be conducted during low water conditions
5. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands
6. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
8. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
9. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
10. Unconfined work within the stream, inclusive of work associated with installation of a cofferdam, shall be done during periods of low flow.
11. Cofferdams shall not be installed during periods of high flow. High flows can be due to seasonal runoff or precipitation; the permittee shall monitor local forecasts to review weather conditions.
12. No work within the confined area shall proceed until water flow is controlled. Once cofferdams are fully effective confined work can proceed without restriction.
13. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.

14. Temporary cofferdams shall be entirely removed immediately following construction.
15. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
16. Proper headwalls shall be constructed within seven days of culvert installation.
17. Culvert outlets shall be protected in accordance with the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
18. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
19. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
20. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
21. Silt fencing must be removed once the area is stabilized.

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(h). Projects involving less than 20,000 square feet of alteration in the aggregate in nontidal wetlands, nontidal surface waters, or banks adjacent to nontidal surface waters which exceed the criteria of Wt 303.04(f).
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

2005-01519 **MERRILL, STEVEN**
MEREDITH Lake Winnepesaukee

Requested Action:

Excavate 22 ft by 17 ft to construct a 20 ft by 15 ft perched beach with 10 cubic yards of sand with a 4 ft wide access stair to the waterbody, install two seasonal PWC lifts adjacent to the existing dock, install a seasonal boatlift with a 14 ft by 30 ft seasonal canopy adjacent to the existing dock, dredge one existing rock adjacent to the existing dock on Lake Winnepesaukee, Meredith.

Conservation Commission/Staff Comments:

Con Com has no concerns with proposal, however it may need special exception to town by ZBA

NH NHI and NH Fish and Game will not be submitting comments

APPROVE PERMIT:

Excavate 22 ft by 17 ft to construct a 20 ft by 15 ft perched beach with 10 cubic yards of sand with a 4 ft wide access stair to the waterbody, install two seasonal PWC lifts adjacent to the existing dock, install a seasonal boatlift with a 14 ft by 30 ft seasonal canopy adjacent to the existing dock, dredge one existing rock adjacent to the existing dock on Lake Winnepesaukee, Meredith.

With Conditions:

1. All work shall be in accordance with plans by Folsom Design Group dated June 15, 2005, revision date November 7, 2005, as received by the Department on November 21, 2005.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to installation.
3. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
4. This shall be the only structure on this water frontage and all portions of the dock shall be at least 20 ft from abutting property

lines or the imaginary extension of those lines into the water.

5. Dredged or excavated material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. Seasonal boatlifts and the seasonal PWC lifts shall be removed from the lake for the non-boating season.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
8. Canopies shall be of seasonal construction type with a flexible fabric cover which shall be removed for the non-boating season.
9. Stone placed along the beach front for the purpose of retaining sand shall be placed above and/or landward of those rocks currently located along the normal high water line (Elevation 504.32). Those rocks existing at the normal high water line shall remain otherwise undisturbed such that the natural shoreline remains identifiable.
10. The steps installed for access to the water shall be located completely landward of the normal high water line.
11. No more than 10 cu yd of sand may be used and all sand shall be located above the normal high water line.
12. This permit shall be used only once, and does not allow for annual beach replenishment.
13. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
14. Revegetation of trees, shrubs and ground covers representing the density and species diversity of the existing stand of vegetation removed for this project shall begin at a distance no greater than 5 feet landward from the beach area.
15. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(g), dredge of less than 20 cu yd from public waters.

2005-01543 BROOKS, WILMA
NEW IPSWICH Unnamed Wetland

Requested Action:

Dredge and fill 5,450 square feet of palustrine forested wetlands and associated perennial stream to install an open-bottom box culvert with associated headwalls and wing walls and a 12-inch x 18-foot culvert with associated headwall to construct two (2) driveways for access to two (2) lots of a 6-lot residential subdivision of an approximately 23 acre parcel.

Conservation Commission/Staff Comments:

The Conservation Commission has no objection to the proposed wetlands impacts.

APPROVE PERMIT:

Dredge and fill 5,450 square feet of palustrine forested wetlands and associated perennial stream to install an open-bottom box culvert with associated headwalls and wing walls and a 12-inch x 18-foot culvert with associated headwall to construct two (2) driveways for access to two (2) lots of a 6-lot residential subdivision of an approximately 23 acre parcel.

With Conditions:

1. All work shall be in accordance with plans by Meridian Land Services, Inc. dated January 31, 2005, as received by the DES Wetlands Bureau on November 16, 2005.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. This permit shall not be effective until it has been recorded with the County Registry of Deeds by the Permittee and a copy of the registered permit has been received by the DES Wetlands Bureau.
4. The deed which accompanies the sales transaction of each lot in this subdivision shall contain condition #5 of this approval.
5. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
6. Work shall be done during low flow.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
8. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August 1992).
9. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a

minimum of 20 feet of undisturbed vegetated buffer.

10. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.

11. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

12. Proper headwalls shall be constructed within seven days of culvert installation.

13. Orange construction fencing shall be placed at the limits of construction adjacent to each wetland impact area to prevent accidental encroachment on wetlands.

14. Construction equipment shall be inspected daily for leaking fuel, oil, and hydraulic fluid prior to entering surface waters or wetlands.

15. Faulty equipment shall be repaired prior to entering jurisdictional areas.

16. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.

17. All refueling of equipment shall occur outside of surface waters or wetlands during construction.

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(h), Projects involving less than 20,000 square feet of alteration in the aggregate in nontidal wetlands, nontidal surface waters, or banks adjacent to nontidal surface waters which exceed the criteria of Wt 303.04(f).

2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01. The impacts are necessary to construct two (2) driveways for access to two (2) lots of a 6-lot residential subdivision.

3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the DES Wetlands Bureau's jurisdiction per Wt 302.03. The subdivision was configured to minimize wetlands crossings. The applicant has also proposed the installation of an open-bottom box culvert to minimize impacts to the perennial stream.

4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

5. The project will impact a perennial stream and palustrine forested wetlands that drain to a tributary of the Souhegan River.

6. The applicant has demonstrated that development of the six (6) residential lots will not increase the peak flow rate of stormwater runoff to the existing culverts under Ashby Road.

7. This permit is contingent on approval by the DES Subsurface Systems Bureau.

2005-01736 NH DEPT OF TRANSPORTATION HAMPTON Unnamed Wetland And Stream

Requested Action:

Repair an 8'10" x 6'1" x 250' arch overflow pipe by constructing a concrete invert and rip rap outlet impacting a total of 16,570 sq. ft. of tidal buffer zone (13,850 sq. ft.), intertidal emergent wetland (410 sq. ft.) and 2,310 sq. ft. of temporary work in the emergent wetland and ponded area.

APPROVE PERMIT:

Repair an 8'10" x 6'1" x 250' arch overflow pipe by constructing a concrete invert and rip rap outlet impacting a total of 16,570 sq. ft. of tidal buffer zone (13,850 sq. ft.), intertidal emergent wetland (410 sq. ft.) and 2,310 sq. ft. of temporary work in the emergent wetland and ponded area. NHDOT project #13408.

With Conditions:

1. All work shall be in accordance with plans by the Louis Berger Group, Inc. dated 6/24/05, as received by the Department on July 26, 2005.

2. This permit is contingent upon the submission of project specific stream diversion and erosion control plans to the DES Wetlands Bureau. Those plans shall detail the timing and method of stream flow diversion during construction, and shall show the temporary siltation, erosion and turbidity control measures to be implemented.

3. Dredged material shall be placed out of the DES Wetlands Bureau jurisdiction.

4. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed without restriction.
5. Temporary cofferdams shall be entirely removed immediately following construction.
6. Construction equipment shall not be located within surface waters.
7. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; and c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
8. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
9. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
10. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
11. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Matting and pinning shall stabilize slopes steeper than 3:1.
12. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
13. Extreme precautions to be taken within riparian areas to limit unnecessary removal of vegetation during road construction and areas cleared of vegetation to be revegetated as quickly as possible.
14. There shall be no further alteration to wetlands or surface waters without amendment of this permit.
15. Standard precautions shall be taken to prevent import or transport of soil or seed stock from nuisance, invading species such as purple loosestrife or Phragmites.

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(a), alteration of jurisdictional areas that do not meet Wt 302.02, Wt 303.04 or Wt 303.05.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) and (c), Requirements for Application Evaluation, has been considered in the design of the project.
5. This is an interim repair and part of a joint project being coordinated with the NHDOT and the NHDES.

2005-01767 HASTINGS CONSTRUCTION INC
GRANTHAM Unnamed Stream

Requested Action:

Dredge and fill 1394.75 square feet of wetlands (95.5 linear feet of intermittent stream) for driveway access in the subdivision of 8.89 acres into 2 single family residential lots.

APPROVE PERMIT:

Dredge and fill 1394.75 square feet of wetlands (95.5 linear feet of intermittent stream) for driveway access in the subdivision of 8.89 acres into 2 single family residential lots.

With Conditions:

1. All work shall be in accordance with plans by Schauer Environmental Consultants, L.L.C. dated November 15, 2005, as received by the Department on November 17, 2005.
2. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
3. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #2 of this approval.

4. This permit is contingent on approval by the DES Subsurface Systems Bureau.
5. Work shall be done in no-flow/dry conditions.
6. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
8. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
9. Proper headwalls shall be constructed within seven days of culvert installation.
10. Culverts shall be laid at original grade.
11. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
12. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(1), projects that alter the course or disturb less than 200 linear feet of an intermittent stream.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

2005-01852 DAY, ROBERT
BARRINGTON Unnamed Wetland

Requested Action:

Impact a total of 6,711 square feet of palustrine forested wetland and wet meadow adjacent to Barrington Prime Wetland No. 2 for the construction of a roadway to access two (2) single family residential lots as part of a 4-lot subdivision on a 44.04 acre parcel of land.

Conservation Commission/Staff Comments:

The Barrington Conservation Commission supports the project.

APPROVE PERMIT:

Impact a total of 6,711 square feet of palustrine forested wetland and wet meadow adjacent to Barrington Prime Wetland No. 2 for the construction of a roadway to access two (2) single family residential lots as part of a 4-lot subdivision on a 44.04 acre parcel of land.

With Conditions:

1. All work shall be in accordance with the Wetland Crossing Plan (Sheets 1 and 2) by Pohopek Land Surveyors & Septic Designers dated July 11, 2005, as received by the Department on August 10, 2005.
2. DES staff shall be notified in writing prior to commencement of work and upon its completion.
3. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
4. Work shall be done during low flow conditions.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a major impact project per Administrative Rule Wt 303.02(f), projects located in or adjacent to designated prime wetlands under RSA 482-A:15.
2. Per Wt 302.01, the need for the proposed impacts has been demonstrated by the applicant, as they wish to access buildable upland.
3. Per Wt 302.03., the applicant has provided evidence which demonstrates that his/her project, as approved and conditioned, is the alternative with the least adverse impact to areas and environments under the department's jurisdiction, as the crossing are minimized and other impacts have been avoided to the fullest extent possible.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
5. The erosion controls, water velocity controls, grass treatment swales, stabilization methods, culvert sizing and invert elevations will protect the ability of the wetlands to retain floodwaters and silt.
6. The project as approved and constructed in adherence to the provided construction sequence, erosion controls, water treatment system and maintenance program offsets impact from any increased runoff created by the development.
7. Based on the inspection conducted on 12/2/05 by Eben M. Lewis, the project involves minor environmental impacts.
8. Based on findings #7 above, there is clear and convincing evidence this proposal will have no significant loss of values to the prime wetlands as set forth in RSA 482-A:1, and the project meets the criteria set forth in Rule Wt 703.01 Criteria for Approval.
9. A prime wetlands public hearing was held on December 01, 2005.

2005-01878 POND SIDE LLC, MALCOLM SMITH III
HAMPTON Unnamed Wetland

Requested Action:

Impact 8,600 square feet of forested wetland for the construction of a driveway to a single family residential lot as part of a 3-lot subdivision.

WITHDRAW APPLICATION:

The applicant eliminated the proposed drive utilizing the existing woods road and now proposed a 3-lot subdivision with no impacts to jurisdictional area.

2005-01926 FELDER KUEHL PROPERTIES LLC, ROBERT FELDER
EXETER Unnamed Wetland

Requested Action:

Fill 3,896 square feet of an isolated forested wetland for the remediation of contaminated soils for lot development.

Conservation Commission/Staff Comments:

The Exeter Conservation Commission did not comment on the project.

APPROVE PERMIT:

Fill 3,896 square feet of an isolated forested wetland for the remediation of contaminated soils for lot development.

With Conditions:

1. All work shall be in accordance with plans by NH Soil Consultants, Inc. dated August 2005, as received by the Department on August 18, 2005.
2. DES staff shall be notified in writing prior to commencement of work and upon its completion.
3. This permit is contingent on approval by the DES Waste Management Division.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction,

and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.

5. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.

6. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for other construction activities.

7. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(h) Projects involving less than 20,000 square feet of alteration in the aggregate in nontidal

wetlands, nontidal surface waters, or banks adjacent to nontidal surface waters which exceed the criteria of Wt 303.04(f).

2. Per Wt 302.01, the need for the proposed impacts has been demonstrated by the applicant, as the dredging is necessary for the remediation of contaminated soil and the wetland is of no value or function due to its size and being isolated.

3. Per Wt 302.03, the applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction, as this wetland is the only one being impacted and the higher value wetlands adjacent to the site will be preserved.

4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

5. A letter dated November 30, 2005, from the Waste Management Division, HWRB recommends the removal, filling, and capping of the contaminated area.

2005-01927 PARIS, ROBERT
ALTON Lake Winnepesaukee

Requested Action:

Permanently remove an existing 2 ft 8 in by 52 ft seasonal dock and construct a 2 ft 8 in by 52 ft permanent piling pier in the same location on Rattlesnake Island, Lake Winnepesaukee, Alton.

Conservation Commission/Staff Comments:

The Con Com has no objections

APPROVE PERMIT:

Permanently remove an existing 2 ft 8 in by 52 ft seasonal dock and construct a 2 ft 8 in by 52 ft permanent piling pier in the same location on Rattlesnake Island, Lake Winnepesaukee, Alton.

With Conditions:

1. All work shall be in accordance with plans by Winnepesaukee Marine Construction dated August 1, 2005, revision date December 2, 2005, as received by the Department on December 6, 2005.

2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.

3. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.

4. Construction debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.

5. This permit does not allow for maintenance dredging.

6. Repairs to these structures may be conducted, as necessary, throughout the duration of this permit provided that the permittee notifies the Wetlands Bureau and Conservation Commission, in writing, of the proposed start and completion date prior to performing any repair.

7. Repairs shall maintain existing size, location and configuration.

8. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.

9. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be

- avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
10. Work shall be carried out in a time and manner such that there will be no disturbance to migratory waterfowl breeding areas or fish spawning areas.
 11. The minimum clear spacing between piles shall be 12 feet.
 12. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(d), construction of a permanent pier providing less than 5 slips.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.

2005-02220 MITTELMAN, GERALDINE
RYE Rye Harbor

Requested Action:

Impact a total of 3,341 square feet within the previously developed 100-foot tidal buffer zone to include 2,230 square feet of permanent impact and 1,111 square feet of temporary impact for the removal of an existing shed, dwelling, and concrete walk, and the construction of a new dwelling, septic system, and permeable driveway on a single family residential lot of 0.09 acres.

Conservation Commission/Staff Comments:

The Rye Conservation Commission endorses the project.

Inspection Date: 09/09/2005 by Eben M Lewis

APPROVE PERMIT:

Impact a total of 3,341 square feet within the previously developed 100-foot tidal buffer zone to include 2,230 square feet of permanent impact and 1,111 square feet of temporary impact for the removal of an existing shed, dwelling, and concrete walk, and the construction of a new dwelling, septic system, and permeable driveway on a single family residential lot of 0.09 acres.

With Conditions:

1. All work shall be in accordance with plans by NH Soil Consultants, Inc. dated August 2005, as received by the Department on Sept 20, 2005.
2. DES staff shall be notified in writing prior to commencement of work and upon its completion.
3. This permit is contingent on the approval of Comprehensive Shoreland Act Variance No. 2005-2189.
4. This permit is contingent on approval by the DES Subsurface Systems Bureau.
5. There shall be no further alteration of wetlands for lot development, driveways, for septic setback, or any other construction related activities.
6. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
8. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(b) Projects that involve work within 50 feet of a saltmarsh that do not meet the criteria of Wt 303.02.
2. Per Wt 302.01, the need for the proposed impacts has been demonstrated by the applicant, as the wish to reconstruct the dwelling.
3. Per Wt 302.03, the applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction, as there will be a reduction of the total square footage of structure on the property by 87 square feet and a new septic system. The existing septic system is near failure and poses a threat to

both the abutters and the environment.

4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

5. DES Staff conducted a field inspection of the proposed project on September 9, 2005.

6. Pursuant to Wt 304.04, the applicant is required to obtain written concurrence for impacts within 20-feet of the boundary lines of the following property owners: Collier, Ray Tax Map 9.2 Lot 11; Foss, Rye Tax Map 9.2 Lot 12; and Holihan, Rye Tax Map 9.2 Lot 15.

7; and McCrae Trust, Rye Tax Map 9.2 Lot 13.

7. Applicant only received written concurrence from Collier and none of the other aforementioned abutters.

8. Because the applicant made a good-faith effort by using certified mail to obtain written consent from those abutter, the applicant is seeking a waiver from Wt 304.04.

9. Based on the field inspection the Department hereby waives Wt 304.04, with the finding that the aforementioned properties will not suffer any negative environmental impacts as a result of the proposed project and will actually be benefited by the septic system replacement.

10. NH Natural Heritage Bureau (NHNHB) has record of two natural communities, Brackish marsh and High salt marsh. NHNHB also has record of two state threatened plant species within the project vicinity, Beach Grass (*Ammophila breviligulata*) and Salt-marsh-Gerardia (*Agalinis maritima*). NHNHB has record of one endangered plant species within the project vicinity, Dwarf Glasswort (*Salicornia bigelovii*). NHNHB has record of one vertebrate species within the project vicinity, Black-crowned Night-heron (*Nycticorax nycticorax*).

11. DES finds that none of the NHNHB identified items will be impacted as a result of this project, as the property is currently fully developed and does not support the listed plant/animal species.

2005-02314 HOPKINTON, TOWN OF
HOPKINTON Kimball Pond

Requested Action:

Impact a total of 19,000 square feet of jurisdictional area for breached dam repair, further described as follows: Permanently impact 2400 square feet for tow of dam and rip-rap protection and temporarily impact 16,600 square feet for construction access.

Conservation Commission/Staff Comments:

The conservation commission did not comment.

APPROVE PERMIT:

Impact a total of 19,000 square feet of jurisdictional area for breached dam repair, further described as follows: Permanently impact 2400 square feet for tow of dam and rip-rap protection and temporarily impact 16,600 square feet for construction access.

With Conditions:

1. All work shall be in accordance with plans by Vollmer Associates LLP, dated September 8, 2005, and revised through December 2005, as received by the Department on December 8, 2005.

2. This permit is contingent on approval by the DES Dam Safety Program.

3. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.

4. Work shall be conducted during low water conditions

5. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.

6. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.

7. Work within the stream, inclusive of work associated with installation of a cofferdam, shall be done during periods of low flow. High flows can be caused by seasonal runoff or precipitation; the permittee shall monitor local forecasts to review weather conditions.

8. No work within the confined area shall proceed until the cofferdam is fully effective, and water flow is controlled.

9. Temporary cofferdams shall be entirely removed immediately following construction.
10. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands. Faulty equipment shall be repaired prior to entering jurisdictional areas.
11. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
12. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
13. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
14. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(h). Projects involving less than 20,000 square feet of alteration in the aggregate in nontidal wetlands, nontidal surface waters, or banks adjacent to nontidal surface waters which exceed the criteria of Wt 303.04(f).
2. The existing dam breached Spring of 2005. The proposal is to replace the previously existing structure.
3. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
4. The proposed changes will improve the safety and functionality of the existing structure.
5. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
6. The proposal will reestablish an existing town recreational pond.
7. The proposal will improve flood storage and decrease the downstream erosion experienced in the summer of 2005.
8. The pond elevation will not change with the changes to the dam.
9. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
10. The total impacts for the project are 19,000 square feet but only 2,400 of these impacts are permanent therefore under Wt 302.03(b)(2)(b) , no mitigation is required.

2005-02730 MORIN, ED & JUDY
ALTON BAY Lake Winnepesaukee

Requested Action:

Construct a 9 ft x 15 ft perched beach on 111.5 ft of frontage in Alton Bay on Lake Winnepesaukee.

DENY PERMIT:

Construct a 9 ft x 15 ft perched beach on 111.5 ft of frontage in Alton Bay on Lake Winnepesaukee.

With Findings:

Standards of Approval

1. In accordance with Rule Env-Ws 1405.08, Slope Limitation for Water Dependent Structures, no water dependent structure shall be built on land having greater than 25 percent slope.
2. In accordance with RSA 483-B:3, Consistency Required, the Wetlands Bureau shall issue permits only when the proposed project are consistent with the policies of the Comprehensive Shoreland Protection Act.
3. This project is classified as a minor impact project per Rule Wt 303.03(g), dredge of less than 20 cu yd of material from public waters.

Findings of Fact

4. On November 10, 2005 the Department landowner filed an application to construct a 9 ft x 15 ft perched beach on property

identified as Alton Bay Tax Map 54, Lot 35.

5. Plans indicate that the bank along the entire shoreline frontage exceeds a 25 percent slope.

Ruling in support of the Decision

6. The slope of the property along the frontage fails to meet the requirements of Rule Env-Ws 1405.08, therefore the application is denied.

MINIMUM IMPACT PROJECT

2000-02716 BRISTOL, TOWN OF BRISTOL Unnamed Wetland Newfound River

Requested Action:

Permanently fill approximately 1,580 square feet of palustrine forested wetlands within the bed and banks of the Newfound River to construct a multi-use path along the Newfound River.

Conservation Commission/Staff Comments:

No comments were received from the Bristol Conservation Commission.

Inspection Date: 04/19/2001 by Christian P Williams

APPROVE PERMIT:

Permanently fill approximately 1,580 square feet of palustrine forested wetlands within the bed and banks of the Newfound River to construct a multi-use path along the Newfound River.

With Conditions:

1. All work shall be in accordance with the following plans by SFC Engineering Partnership Inc.:
 - a) Sheet C1-A, revised 10/13/05; and
 - b) Sheet S3, revised 7/28/05; and
 - c) Sheet C6, revised 8/26/05
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
4. Appropriate erosion and siltation controls shall be installed prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Dredged and stockpiled materials shall be placed out of any area that is within the jurisdiction of the DES Wetlands Bureau.
6. Proper headwalls shall be constructed within seven days of culvert installation.
7. Stone aprons shall be installed at culvert outlets, where appropriate, to dissipate flow velocities and prevent scour and erosion.
8. Disturbed river banks shall be restored to original contours and to a stable condition within three days of completion of construction.
9. Precautions shall be taken within riparian areas to limit removal of vegetation to provide temporary construction access. In areas where vegetation has been cleared or otherwise disturbed to provide temporary construction access, native shrub and tree species shall be planted by the end of the following growing season.
10. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices

for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

12. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. The project is categorized as a Minimum Impact Project, per Rule Wt 303.04(y) Construction of trails in accordance with the "Best Management Practices for Erosion Control During Trail Maintenance and Construction", N.H. department of resources and economic development, copyright 1994, updated 2004, provided there is less than 3,000 square feet of impact to wetlands per crossing and all crossings are of stream channels less than 10 feet wide;
2. The multi-use path will improve non-vehicular traffic access throughout the Town of Bristol and provide a safe travel corridor for pedestrians and cyclists.
3. DES Wetlands Bureau staff conducted a field inspection of the proposed multi-use path alignment on April 19, 2001. Based on observations made during the field inspection and based on review of documentation submitted in support of the application, the Department finds that the project will not adversely impact the aquatic resources of the Newfound River.
4. The need for the proposed jurisdictional impacts has been demonstrated by the applicant per Rule Wt 302.01.
5. The applicant has provided evidence which demonstrates that the proposal is the alternative with the least adverse impact to areas and environments under the Department's jurisdiction, in accordance with Rule Wt 302.03.
6. The applicant has demonstrated by plan and example that each factor listed in Rule Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.

**2004-00679 GARDNER, STEVEN & GRETA
RYE Atlantic Ocean**

Requested Action:

Request amendment to: Remove and regrade 2,500 sq. ft. of accumulated beach sand along 85 linear feet of seawall to provide better exposure of the seawall to protect the property from ocean waves. The sand will be pulled back from the seawall and regraded along the dry sand portion of the beach landward of mean high tide along this frontage. No sand shall be removed from the beach for disposal elsewhere.

Inspection Date: 11/18/2005 by Frank D Richardson

APPROVE AMENDMENT:

Impact 5,927 square feet of developed upland tidal buffer zone for the removal and reconstruction of an existing single-family residence and associated stairs that lead to the beach.

In addition: Remove and regrade 2,500 sq. ft. of accumulated beach sand along 85 linear feet of seawall to provide better exposure of the seawall to protect the property from ocean waves. The sand will be pulled back from the seawall and regraded along the dry sand portion of the beach landward of mean high tide along this frontage. No sand shall be removed from the beach for disposal elsewhere.

With Conditions:

1. All work shall be in accordance with plans by Terra Firma Landscape Architecture dated March 26, 2004, with revisions dated April 27, 2004, as received by the Department on May 25, 2004.
2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
3. Coastal staff shall be notified in writing prior to commencement of work and upon its completion.
4. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
5. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).
6. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(b), projects in previously developed upland areas within

100 feet of the highest observable tide line.

2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has obtained written approval from one of the two abutters who's property lines exist within twenty feet of the proposed work.
5. DES waives the requirement to obtain written approval from the abutter to the northeast. After review of this application, DES finds that the northeasterly property will not suffer any negative environmental impacts as a result of the proposed project.
6. NH Natural Heritage Inventory (NHNHI) has record of two state threatened plant species within the project vicinity, Hairy Hudsonia (*Hudsonia tomentosa*) and Sand Drop-Seed (*Sporobolus cryptandrus*). NHNHI also has record of one plant species of special concern within the project vicinity, Beach Grass (*Ammophila breviligulata*).
7. DES finds that none of the NHNHI identified items will be impacted as a result of this project, as the property is currently fully developed and does not support the listed plant species.

2005-00442 CICCARONE JR, GERALD
WOLFEBORO Unnamed Wetland

Requested Action:

Approve name change to : Jim Lowry, PO Box 741, Wolfeboro Falls, NH 03896 per request received 12/14/2005.

Conservation Commission/Staff Comments:

The Conservation Commission has no concerns with this application.

APPROVE NAME CHANGE:

Dredge and fill 635 square feet of palustrine forested wetland for access to a proposed building site.

With Conditions:

1. All work shall be in accordance with plans by Land Tech dated February 2005, and revised through August 12, 2005, as received by the Department on October 5, 2005.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
4. The applicant shall notify in writing the DES Wetlands Bureau, the Conservation Commission of their intention to commence construction no less than five (5) business days prior to the commencement of construction.
5. Work shall be conducted during low water conditions.
6. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
7. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
8. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
9. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. This permit transfer is issued in accordance with NH Administrative Rule Wt 502.02.

2005-01541 SPINOSA, DANIEL
RYE Unnamed Wetland

Requested Action:

Dredge and fill 675 sq. ft. of palustrine forested, scrub-shrub wetlands to construct a driveway/culvert crossing to access a single-family residential building site on a 3.25 acre parcel of land.

Conservation Commission/Staff Comments:

No comments received from the Rye Conservation Commission.

APPROVE PERMIT:

Dredge and fill 675 sq. ft. of palustrine forested, scrub-shrub wetlands to construct a driveway/culvert crossing to access a single-family residential building site on a 3.25 acre parcel of land.

With Conditions:

1. All work shall be in accordance with plans by NH Soil Consultants, Inc. dated 3/05, as received by the Department on July 08, 2005.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
4. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
7. Proper headwalls shall be constructed within seven days of culvert installation.
8. Culvert outlets shall be properly rip rapped.

2005-01775 COOPER, EDWARD/JOHN
DERRY Unnamed Wetland

Requested Action:

Fill 2,304 square feet of palustrine wet meadow for the creation of a storm water treatment/wetland mitigation area associated with the construction of a 14,820 square foot retail store and create a total of 13,400 square feet of wetland.

Conservation Commission/Staff Comments:

The Derry Conservation Commission did not comment on the project.

APPROVE PERMIT:

Fill 2,304 square feet of palustrine wet meadow for the creation of a storm water treatment/wetland mitigation area associated with the construction of a 14,820 square foot retail store and create a total of 13,400 square feet of wetland.

With Conditions:

1. All work shall be in accordance with plans by Appledore Engineering, Inc. dated June 15, 2005, as received by the Department on August 1, 2005.
2. This permit shall not be effective until it has been recorded with the Rockingham County Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. DES staff shall be notified in writing prior to commencement of work and upon its completion.
4. All work shall be performed under low flow conditions.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

Wetland construction:

1. This permit is contingent upon the creation of 13,400 sq. ft. of wetlands in accordance with plans received August 1, 2005.
2. The schedule for construction of the mitigation area shall coincide with site construction unless otherwise considered and authorized by the Wetlands Bureau.
3. The mitigation area shall be properly constructed, monitored, and managed in accordance with approved final mitigation plans.
4. Wetland creation areas shall be properly constructed, landscaped, monitored and remedial actions taken that may be necessary to create functioning wetland areas similar to those of the wetlands impacted by the project. Remedial measures may include replanting, relocating plantings, removal of invasive species, changing soil composition and depth, changing the elevation of the wetland surface, and changing the hydrologic regime.
5. The permittee shall designate a qualified professional who will be responsible for monitoring and ensuring that the mitigation areas are constructed in accordance with the mitigation plan. Monitoring shall be accomplished in a timely fashion and remedial measures taken if necessary. The Wetlands Bureau shall be notified in writing of the designated professional prior to the start of work and if there is a change of status during the project.
6. The permittee shall notify DES and the Derry Conservation Commission in writing of their intention to commence construction no less than 5 business days prior to construction.
7. The permittee or a designee shall conduct a follow-up inspection after the first growing season, to review the success of the mitigation area and schedule remedial actions if necessary. A report outlining these follow-up measures and a schedule for completing the remedial work shall be submitted by December 1 of that year. Similar inspections, reports and remedial actions shall be undertaken in at least the second and third years following the completion of each mitigation site.
8. Wetland creation areas shall have at least 75% successful establishment of wetlands vegetation after two (2) growing seasons, or shall be replanted and re-established until a functional wetland is replicated in a manner satisfactory to the DES Wetlands Bureau.
9. The permittee shall delineate the wetlands within the mitigation site, document the delineation with data forms, and depict the delineation as an overlay of the final as-built plans after at least five full growing seasons.
10. Wetland soils from areas vegetated with purple loosestrife shall not be used in the wetland creation site. The potential for the establishment of the invasive species should be considered in other areas where spoils may be spread to limit its further establishment.
11. The permittee shall attempt to control invasive, weedy species such as purple loosestrife (*Lythrum salicaria*) and common reed (*Phragmites australis*) by measures agreed upon by the Wetlands Bureau if the species is found in the mitigation areas during construction and during the early stages of vegetative establishment.
12. A post-construction report documenting the status of the completed project with photographs shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), alteration of less than 3,000 square feet of jurisdictional forested wetland.
2. Per Wt 302.01, the need for the proposed impacts has been demonstrated by the applicant, as these impacts are necessary to developed the site.
3. Per Wt 302.03, the applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction as, the area of fill will be mitigated with 13,400 square feet of wetland creation.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. The previous permitted project, 1999-0084, was not completed and the original area of wetland creation was never completed.
6. This file supercedes the aforementioned file and the mitigation associated with that file will be complete in accordance with this permit.

2005-01836

TRYBA REVOC LIVING TRUST, HERIBERT TRYBA

HARRISVILLE Chesham Pond

Requested Action:

Retain 8 cubic yards of sand placed for beach replenishment on an average of 85 feet of frontage on Chesham Pond, Harrisville.

Conservation Commission/Staff Comments:

No comments submitted from the conservation commission.
Application submitted in response to a request for an A-T-F for compliance.

Inspection Date: 10/05/2005 by Jeffrey D Blecharczyk

APPROVE AFTER THE FACT:

Retain 8 cubic yards of sand placed for beach replenishment on an average of 85 feet of frontage on Chesham Pond, Harrisville.

With Conditions:

1. This After-The-Fact approval Letter does not allow for annual beach replenishment.
2. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.

With Findings:

1. This project is classified as a minimum impact project per Rule Wt 303.04(aa) Replenishment of sand on an existing beach, provided: (1) No sand shall be placed below the high water line or full pond elevation;(2) No work shall be conducted in or adjacent to prime wetland; (3) No more than 10 cubic yards of sand shall be used; and (4) The beach replenishment shall not exceed the limit of one replenishment in any 6 year period;
2. Beach previously approved under permit #P-932

2005-02032 HERTEL SR, VAN
BELMONT Unnamed Stream

Requested Action:

Dredge and fill 1200 square feet along 20 feet of intermittent stream including installation of a 30-inch x 20 foot culvert for access to an existing lot of record.

Conservation Commission/Staff Comments:

The conservation commission did not comment on this application.

APPROVE PERMIT:

Dredge and fill 1200 square feet along 20 feet of intermittent stream including installation of a 30-inch x 20 foot culvert for access to an existing lot of record.

With Conditions:

1. All work shall be in accordance with plans by Tim Jones dated August 2, 2005, and received by the Department August 29, 2005 and plans received by the Department on November 21, 2005.
2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
- 17.5 Work shall be done during periods of non-flow.
3. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
5. Proper headwalls shall be constructed within seven days of culvert installation.
6. Culvert outlets shall be protected in accordance with the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
7. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(n). Projects that alter the course of or disturb less than 50 linear feet, measured along the thread of the channel, of an intermittent nontidal stream channel or its banks provided construction is performed during periods of non-flow.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2005-02080 LAZDOWSKI, PAUL & JOANNE
NEW LONDON Unnamed Stream Lake Sunapee

Requested Action:

Replace an existing 13 ft by 27 ft boathouse in kind on 75 ft of frontage on Lake Sunapee, New London.

Conservation Commission/Staff Comments:

No comments from Con Com by 9/22/05

APPROVE PERMIT:

Replace an existing 13 ft by 27 ft boathouse in kind on 75 ft of frontage on Lake Sunapee, New London.

With Conditions:

1. All work shall be in accordance with plans as received by the Department on September 2, 2005, and cross sectional plans as received on December 14, 2005.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. This permit to replace or repair existing structures shall not preclude the DES from taking any enforcement action or revocation action if it later determines that any "existing structures" were not previously permitted or grandfathered in their current configuration.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
5. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
6. Work shall be carried out in a time and manner such that there will be no disturbance to migratory waterfowl breeding areas or fish spawning areas.
7. Area shall be regraded to original contours following completion of work.
8. Repair shall maintain existing size, location and configuration.
9. This permit does not allow for maintenance dredging.
10. Work shall be done during drawdown.
11. Work shall be done during low flow.
12. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This project is classified as a minimum impact project per Rule Wt 303.04(v), repair of existing structures with no change in size, location or configuration.

2005-02119 IRON WHEEL INC.
DANVILLE Unnamed Wetland

Requested Action:

Dredge and fill 218 square feet of forested wetland to install a 15-inch culvert for access to a single family residential lot of 2.00

acres as part of a 10-lot subdivision of 39.38 acres.

Conservation Commission/Staff Comments:

The Danville Conservation Commission did not sign the Minimum Impact Expedited Application and did not comment.

APPROVE PERMIT:

Dredge and fill 218 square feet of forested wetland to install a 15-inch culvert for access to a single family residential lot of 2.00 acres as part of a 10-lot subdivision of 39.38 acres.

With Conditions:

1. All work shall be in accordance with plans by Lavelle Associates, LLC dated August 17, 2005, as received by the Department on August 26, 2005.
2. DES staff shall be notified in writing prior to commencement of work and upon its completion.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
5. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #4 of this approval.
6. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau.
7. Work shall be done during low flow conditions.
8. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
9. Proper headwalls shall be constructed within seven days of culvert installation.
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), alteration of less than 3,000 square feet of jurisdictional forested wetland.
2. Per Wt 302.01, the need for the proposed impacts has been demonstrated by the applicant, as this is needed to access buildable upland.
3. Per Wt 302.03, the applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction, as the wetlands will be crossed at the narrowest section and impacts will be minimized to the fullest extent practicable.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2005-02315 CLARK, MICHAEL
PORTSMOUTH Piscataqua River Back Channel

Requested Action:

Repair and reconstruct an existing deck attached to an existing boathouse within the same footprint, including: raise the boathouse building from the deck; construct new deck consisting of 3 in. x 12 in. treated joists on 24 in. nominal centers and 2 in. x 6 in. decking and install 9 new pilings to support new deck and boathouse.

Conservation Commission/Staff Comments:

Conservation Commission recommends approval.

APPROVE PERMIT:

Repair and reconstruct an existing deck attached to an existing boathouse within the same footprint, including: raise the boathouse building from the deck; construct new deck consisting of 3 in. x 12 in. treated joists on 24 in. nominal centers and 2 in. x 6 in. decking and install 9 new pilings to support new deck and boathouse.

With Conditions:

1. All work shall be in accordance with plans by Pickering Marine Corporation dated September 26, 2005, as received by the Department on September 28, 2005.
2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
3. Any further alteration of surface waters/wetlands on this property will require a new application and further permitting by Department of Environmental Services ("DES") Wetlands Bureau.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
5. All work shall be done during low tide.
6. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing, by mulching with tack or netting and pinning on slopes steeper than 3:1.
7. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. This project is classified as a minimum impact project per Wt 303.04(v), maintenance, repair, and replacement in-kind of existing boathouses.
2. The deck and supports of the existing boathouse is currently structurally unsound.
3. This application was field inspected by DES personnel on December 6, 2005, which finds the repair and replacement as proposed represents minimum impact to the tidal resource at this location.

2005-02423 KGI PROPERTIES LLC
NORTH CONWAY Drainage Swale

Requested Action:

Dredge and fill 2,660 of man-made drainage swale for road upgrade.

Conservation Commission/Staff Comments:

NHB expressed concern regarding the presence of the Hudsonia, Silver Maple, Canadian Germander, Hairy Hudsonia and Silvering. The small size and type of wetland to be impacted (isolated man-made drainage swale) would not support the species of concern.

APPROVE PERMIT:

Dredge and fill 2,660 of man-made drainage swale for road upgrade.

With Conditions:

1. All work shall be in accordance with plans by H.E. Bergeron Engineers, P.A. dated September 12, 2005, as received by the Department on October 11, 2005.
2. This permit is contingent on approval by the DES Site Specific Program.
3. Work shall be done in dry conditions.
4. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), alteration of less than 3,000 square feet of wetlands.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The proposed isolated wetland to be filled was delineated as a man-made drainage swale and was created as part of a stormwater system for previous development onsite.
5. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
6. Stormwater will be diverted to a proposed drainage swale west of the drainage swale wetland to be filled.
7. The Natural Heritage Bureau expressed concern regarding the presence of Hudsonia, Silver Maple, Canadian Germander, Hairy Hudsonia and Silvering.
8. The small size and type of wetland to be impacted (isolated man-made drainage swale) does not provide the habitat necessary to support the species of concern known to occur in the general vicinity.

2005-02493 W H BAGSHAW INC
NASHUA Nashua River

CONFIRM EMERGENCY AUTHORIZATION:

Emergency authorization for the repair of a fire suppression intake located in a canal associated with the Nashua River.

With Conditions:

1. All work shall be in accordance with correspondence received and issued by the Department on October 21, 2005 and November 3, 2005.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.

With Findings:

1. This project is classified as a minimum impact project per Rule Wt 303.04(v), repair of existing structures.
2. The project was necessary to repair a failed fire suppression intake in a canal associated with the Nashua River.
3. Emergency authorization for this work was issued by DES Wetlands Bureau Staff on 10/21/05.
4. Review of the report submitted pursuant the emergency authorization indicates that work has been completed in accordance with the emergency authorization.

2005-02606 CKK FAMILY TRUST
EFFINGHAM Province Lake

Requested Action:

Construct a 4 ft by 35 ft seasonal dock connected to a 4 ft by 4 ft concrete pad providing 2 boatslips, construct an 18 ft by 15 ft perched beach for common use for two lots on the property line on Province Lake, Effingham.

Conservation Commission/Staff Comments:

Con Com has concerns about beach in fill area.

APPROVE PERMIT:

Construct a 4 ft by 35 ft seasonal dock connected to a 4 ft by 4 ft concrete pad providing 2 boatslips, construct an 18 ft by 15 ft perched beach for common use for two lots on the property line on Province Lake, Effingham.

With Conditions:

1. All work shall be in accordance with plans by Folsom Design Group dated October 14, 2005, as received by the Department on October 27, 2005.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to installation.
3. This shall be the only structure on this water frontage and all portions of the dock shall be at least 20 ft. from abutting property lines or the imaginary extension of those lines into the water.
4. Seasonal pier shall be removed from the lake for the non-boating season.
5. No portion of the pier shall extend more than 35 feet from the shoreline at full lake elevation.
6. Dredged or excavated material shall be placed outside of the DES Wetlands Bureau jurisdiction.
7. Stone placed along the beach front for the purpose of retaining sand shall be placed above and/or landward of those rocks currently located along the normal high water line (Elevation 480). Those rocks existing at the normal high water line shall remain otherwise undisturbed such that the natural shoreline remains identifiable.
8. The steps installed for access to the water shall be located completely landward of the normal high water line.
9. No more than 10 cu. yds. of sand may be used and all sand shall be located above the normal high water line.
10. This permit shall be used only once, and does not allow for annual beach replenishment.
11. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
12. Revegetation of trees, shrubs and ground covers representing the density and species diversity of the existing stand of vegetation removed for this project shall begin at a distance no greater than 5 feet landward from the beach area.
13. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
14. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(a), construction of a seasonal dock.
2. The applicant has addressed the local Conservation Commissions concerns.

2005-02680 CKK FAMILY TRUST
EFFINGHAM Province Lake

Requested Action:

Construct a 4 ft by 35 ft seasonal dock connected to a 4 ft by 4 ft concrete pad providing 2 boatslips, construct an 18 ft by 15 ft perched beach for common use for two lots on the property line on Province Lake, Effingham.

Conservation Commission/Staff Comments:

Con Com has concerns about beach impacts

APPROVE PERMIT:

Construct a 4 ft by 35 ft seasonal dock connected to a 4 ft by 4 ft concrete pad providing 2 boatslips, construct an 18 ft by 15 ft perched beach for common use for two lots on the property line on Province Lake, Effingham.

With Conditions:

1. All work shall be in accordance with plans by Folsom Design Group dated October 14, 2005, as received by the Department on October 27, 2005.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to installation.
3. This shall be the only structure on this water frontage and all portions of the dock shall be at least 20 ft. from abutting property lines or the imaginary extension of those lines into the water.
4. Seasonal pier shall be removed from the lake for the non-boating season.
5. No portion of the pier shall extend more than 35 feet from the shoreline at full lake elevation.
6. Dredged or excavated material shall be placed outside of the DES Wetlands Bureau jurisdiction.
7. Stone placed along the beach front for the purpose of retaining sand shall be placed above and/or landward of those rocks currently located along the normal high water line (Elevation 480). Those rocks existing at the normal high water line shall remain

otherwise undisturbed such that the natural shoreline remains identifiable.

8. The steps installed for access to the water shall be located completely landward of the normal high water line.
9. No more than 10 cu. yds. of sand may be used and all sand shall be located above the normal high water line.
10. This permit shall be used only once, and does not allow for annual beach replenishment.
11. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
12. Revegetation of trees, shrubs and ground covers representing the density and species diversity of the existing stand of vegetation removed for this project shall begin at a distance no greater than 5 feet landward from the beach area.
13. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
14. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(a), construction of a seasonal dock.
2. The applicant has addressed the local Conservation Commissions concerns.

FORESTRY NOTIFICATION

2005-02928 MESSER TRUST, HAROLD
NEWBURY Unnamed Stream

COMPLETE NOTIFICATION:
Newbury Tax Map 27, Lot# 418

2005-02929 MCGINLEY, MICHAEL
GILFORD Unnamed Stream

COMPLETE NOTIFICATION:
Gilford Tax Map 210, Lot# 10

2005-02930 BRUNELLE, STEPHEN
FARMINGTON Unnamed Stream

COMPLETE NOTIFICATION:
Farmington Tax Map R37, Lot# 6

2005-02931 YAGLOU, EDWARD
WASHINGTON Unnamed Stream

COMPLETE NOTIFICATION:
Washington Tax Map 2, Lot# 4

2005-02932 BAYROOT LLC, MOXIE TREE FARM
CARROLL Unnamed Stream

COMPLETE NOTIFICATION:

Carrol Tax Map 408, Lot# 8

2005-02933 LYNCH, CHRIS
NEW LONDON Unnamed Stream

COMPLETE NOTIFICATION:

New London Tax Map 100, Lot# 2 & 3

EXPEDITED MINIMUM

2004-00265 GORDON, JEFFREY & DONNA ALIIGIAN
RYE Tidal Buffer Zone

Requested Action:

Approve name change to" Jennifer & Daniel Desmond, 1611 Ocean Blvd., Rye NH 03870 per request received 12/14/2005.

APPROVE NAME CHANGE:

Impact 600 square feet of developed upland tidal buffer zone for the removal of an existing single-family residence and the construction of a new single-family residence.

With Conditions:

1. All work shall be in accordance with plans by Fine Print Factory, as received by the Department on February 18, 2004.
2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
3. Coastal staff shall be notified in writing prior to commencement of work and upon its completion.
4. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
5. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).
6. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized.

With Findings:

1. This permit transfer is issued in accordance with NH Administrative Rule Wt 502.02.

2005-01170 BOUCHER, DUANE & ANN LAZETTE
RINDGE Contookcook Lake

Requested Action:

Temporarily impact 200 square feet on the banks of Contookcook Lake to provide electrical service to an island

Conservation Commission/Staff Comments:

Conservation commission signed the expedited application

APPROVE PERMIT:

Temporarily impact 200 square feet on the banks of Contookcook Lake to provide electrical service to an island

With Conditions:

1. All work shall be in accordance with plans by the applicant, as received by the Department on June 1, 2005.
8. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
6. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
2. Area shall be regraded to original contours following completion of work.
7. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
4. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This project will temporarily impact approximately 20 linear feet (200 sq ft) of shoreline and is therefore a minimum impact project per Administrative Rule Wt 303.04(m), Projects that disturb less than 50 linear feet, measured along the shoreline, of a lake or pond or its bank and do not meet the criteria of Wt 303.03 or Wt 303.02;
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2005-01883 SULLIVAN, MICHAEL/SUSAN
MOULTONBOROUGH Lee's Pond

Requested Action:

Construct a 4 ft by 30 ft seasonal dock providing 2 boatslips, excavate 440 sq ft and place 8 cubic yards of sand to construct a perched beach with 2 ft 6 in wide access steps to the lake on 700 ft of frontage on Lee's Pond, Moultonboro.

Conservation Commission/Staff Comments:

Con Com signed Exp Application

APPROVE PERMIT:

Construct a 4 ft by 30 ft seasonal dock providing 2 boatslips, excavate 440 sq ft and place 8 cubic yards of sand to construct a perched beach with 2 ft 6 in wide access steps to the lake on 700 ft of frontage on Lee's Pond, Moultonboro.

With Conditions:

1. All work shall be in accordance with plans by Watermark Marine Construction dated June 22, 2005, revision date of October 5, 2005, as received by the Department on November 17, 2005.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to installation.
3. This shall be the only structure on this water frontage and all portions of the dock shall be at least 20 ft from abutting property lines or the imaginary extension of those lines into the water.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Seasonal pier shall be removed from the lake for the non-boating season.
6. No portion of the pier shall extend more than 30 feet from the shoreline at full lake elevation.
7. Dredged or excavated material shall be placed outside of the DES Wetlands Bureau jurisdiction.

8. Stone placed along the beach front for the purpose of retaining sand shall be placed above and/or landward of those rocks currently located along the normal high water line (Elevation 508). Those rocks existing at the normal high water line shall remain otherwise undisturbed such that the natural shoreline remains identifiable.
9. The steps installed for access to the water shall be located completely landward of the normal high water line.
10. No more than 8 cu yd of sand may be used and all sand shall be located above the normal high water line.
11. This permit shall be used only once, and does not allow for annual beach replenishment.
12. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
13. Revegetation of trees, shrubs and ground covers representing the density and species diversity of the existing stand of vegetation removed for this project shall begin at a distance no greater than 5 feet landward from the beach area.
14. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(a), construction of a 2 slip seasonal dock.

2005-02252 FITZ REALTY TRU
NEWTON Unnamed Wetland

Requested Action:

Impact a total of 2,964 square feet of forested wetland to include 2,466 square feet of impact for the installation of a 15"x50' culvert and 498 square feet of impact within the bed and banks of an intermittent stream for the installation of a 24"x28' culvert for access to a 45 unit elderly housing project on 26.82 acres.

Conservation Commission/Staff Comments:

The Newton Conservation Commission signed the Minimum Impact Expedited Application.

APPROVE PERMIT:

Impact a total of 2,964 square feet of forested wetland to include 2,466 square feet of impact for the installation of a 15"x50' culvert and 498 square feet of impact within the bed and banks of an intermittent stream for the installation of a 24"x28' culvert for access to a 45 unit elderly housing project on 26.82 acres.

With Conditions:

1. All work shall be in accordance with plans by Civil Construction Management, Inc. dated April 2004 with revisions through September 1, 2005, as received by the Department on September 22, 2005.
2. DES staff shall be notified in writing prior to commencement of work and upon its completion.
3. This permit is contingent on approval by the DES Site Specific Program.
4. This permit is contingent on approval by the DES Subsurface Systems Bureau.
5. At least 48 hours prior to the start of construction, a pre-construction meeting shall be held with NHDES Land Resources Management Program staff at the project site or at the DES Office in Concord, N.H. to review the conditions of this wetlands permit and the NHDES Site Specific Permit. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, his/her professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.
6. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
7. Work shall be done during low flow conditions.
8. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
9. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
10. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
11. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), alteration of less than 3,000 square feet of impact to jurisdictional forested wetland.
2. Per Wt 302.01, the need for the proposed impacts has been demonstrated by the applicant, as the impacts are necessary to access buildable upland.
3. Per Wt 302.03, the applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction, as the impact have been minimized to the fullest extent practical by expanding the width of an existing road.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2005-02322 BASSETT, WILLIAM
NEW DURHAM Meerymeeting Lake

Requested Action:

Replace 219 ft of an existing 12 inch culvert with 18 inch culvert, remove 28 ft of 12 inch culvert and replace with a 5 ft diameter plunge pool and a 23 ft by 4 ft rip rap channel to Merrymeeting Lake, New Durham.

Conservation Commission/Staff Comments:

Con Com signed Exp Application

APPROVE PERMIT:

Replace 219 ft of an existing 12 inch culvert with 18 inch culvert, remove 28 ft of 12 inch culvert and replace with a 5 ft diameter plunge pool and a 23 ft by 4 ft rip rap channel to Merrymeeting Lake, New Durham.

With Conditions:

1. All work shall be in accordance with plans by Thomas Varney dated November 14, 2005, as received by the Department on November 17, 2005.
2. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Area shall be regraded to original contours following completion of work.
5. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. Proper headwalls shall be constructed within seven days of culvert installation.
7. Repair shall maintain existing location and configuration.
8. Work shall be done during drawdown.
9. Work shall be done during low flow.
10. This permit does not allow for any fill to be placed in the lake or dredging of the lakebed.
11. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(x), replacement of nondocking structures.
2. NH Fish and Game has no concerns as long as the project does not involve a perennial or intermittent stream. The agent submitted information stating it not a perennial or intermittent stream.

2005-02448 ST ONGE, RICHARD & LUCILLE
MOULTONBOROUGH Lake Winnipiesaukee

Requested Action:

Permanently remove an existing 6 ft by 40 ft seasonal dock and construct a 6 ft by 50 ft seasonal dock connected to a 4 ft by 6 ft concrete pad providing 2 boatslips on Lake Winnepesaukee, Moultonborough.

Conservation Commission/Staff Comments:

Con Com signed Exp Application

APPROVE PERMIT:

Permanently remove an existing 6 ft by 40 ft seasonal dock and construct a 6 ft by 50 ft seasonal dock connected to a 4 ft by 6 ft concrete pad providing 2 boatslips on Lake Winnepesaukee, Moultonborough.

With Conditions:

1. All work shall be in accordance with plans by Richard St Onge dated May 17, 1999, as received by the Department on October 13, 2005 and concrete pad plans revision date November 22, 2005, as received by the Department on November 28, 2005.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to installation.
3. This shall be the only structure on this water frontage and all portions of the dock shall be at least 20 ft. from abutting property lines or the imaginary extension of those lines into the water.
4. Seasonal pier shall be removed from the lake for the non-boating season.
5. No portion of the pier shall extend more than 50 feet from the shoreline at full lake elevation.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
8. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(a), construction of a seasonal dock.

2005-02599 PSNH, RICHARD PERRON
MANCHESTER Unnamed Wetland

APPROVE PERMIT:

Dredge and fill approximately 890 sq. ft. of scrub/shrub wetlands to install 40 new transmission line poles and remove existing poles within the transmission line right of way as part of a transmission line upgrade.

With Conditions:

1. All work shall be in accordance with plans and narratives submitted by Public Service of New Hampshire, narratives dated October, 2005 and plans dated June 7, 2005, as received by the Department on October 24 and 28, 2005 and November 21, 2005.
2. All work shall take place during frozen ground conditions only.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
4. Wetland boundaries shall be clearly marked adjacent to construction areas to prevent accidental encroachment on adjacent wetlands.
5. Siltation/erosion controls shall be placed at the limits of construction in all areas where work in uplands is within 20' of the wetland boundary to prevent accidental encroachment on adjacent wetlands.
6. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
7. Mats shall be utilized only under frozen ground conditions and shall be removed before thawing occurs.
8. Pole removal shall consist of cutting the poles off at ground level and shall not involve any excavation. Pole removal shall be conducted only under frozen ground conditions.
9. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application or further permitting by the Bureau.
10. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or

wetlands.

11. Faulty equipment shall be repaired prior to entering jurisdictional areas.
12. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
13. All refueling of equipment shall occur outside of surface waters or wetlands during construction.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), alteration of less than 3,000 square feet in swamps or wet meadows.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. The Natural Heritage Bureau has identified a seasonally flooded red maple swamp, an exemplary natural community, on a portion of the project area. The primary threat to this type of community is changes in water level to the adjacent stream and introduction of invasive species.
6. The proposed project will be conducted within a maintained transmission line right of way, under frozen ground conditions and there are no proposed changes to water levels on the site or the adjacent stream.
7. The New Hampshire Fish & Game Department had no concerns with the project as proposed, as long as the work is conducted under frozen ground conditions and there is no work within the Merrimack River Corridor.

2005-02697 TOTARO, RICHARD
WOLFEBORO Lake Winnepesaukee

Requested Action:

Replace a 8 inch by 25 ft storm drain culvert with a 15 inch by 25 ft culvert in the same location on Lake Winnepesaukee, Wolfeboro.

Conservation Commission/Staff Comments:

Con Com has comments about culvert header only
NH NHI and NH Fish and Game will not be submitting comments

APPROVE PERMIT:

Replace a 8 inch by 25 ft storm drain culvert with a 15 inch by 25 ft culvert in the same location on Lake Winnepesaukee, Wolfeboro.

With Conditions:

1. All work shall be in accordance with plans by Lakeshore Construction dated November 3, 2005, as received by the Department on November 7, 2005.
2. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
3. Area shall be regraded to original contours following completion of work.
4. Culvert outlets shall be protected in accordance with the DES Best Management Practices for Urban Stormwater Runoff Manual (January 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August 1992).
5. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. Repair shall maintain existing size, location and configuration.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
8. Work shall be done during low flow.
9. The outlet shall not extend any further in the bank than the original culvert outfall.

10. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(x), repair or replacement of a nondocking structure such as a culvert.

2005-02700 LUFKIN, SALLY
BRENTWOOD Unnamed Wetland

Requested Action:

Impact 800 square feet of forested wetland for the installation of a 12-inch culvert for access to a single family residential lot on 2.00 acres as part of a 2-lot subdivision of 7.83 acres.

Conservation Commission/Staff Comments:

The Brentwood Conservation Commission signed the Minimum Impact Expedited Application.

APPROVE PERMIT:

Impact 800 square feet of forested wetland for the installation of a 12-inch culvert for access to a single family residential lot on 2.00 acres as part of a 2-lot subdivision of 7.83 acres.

With Conditions:

1. All work shall be in accordance with plans by Atlantic Survey Company, Inc. dated September 2005, as received by the Department on November 7, 2005.
2. DES staff shall be notified in writing prior to commencement of work and upon its completion.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
5. Work shall be done during low flow conditions.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), alteration of less than 3,000 square feet of jurisdictional forested wetland.
2. Per Wt 302.01, the need for the proposed impacts has been demonstrated by the applicant, as the impacts are needed to access buildable upland.
3. Per Wt 302.03, the applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction, as the narrowest portion of wetlands will be crossed and the impacts have been minimized to the fullest extent practicable.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2005-02733 SCHAMEL, MICHAEL
WILMOT Unnamed Wetland

Requested Action:

Dredge and fill 720 square feet of palustrine forested wetland including installation of two 15-inch culverts for driveway access to a proposed single family residence.

Conservation Commission/Staff Comments:

The conservation commission signed the minimum impact form.

APPROVE PERMIT:

Dredge and fill 720 square feet of palustrine forested wetland including installation of two 15-inch culverts for driveway access to a proposed single family residence.

With Conditions:

1. All work shall be in accordance with plans by Abenaki Environmental dated October 12, 2004, as received by the Department on November 10, 2005.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
4. Work shall be done during periods of non-flow.
5. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
7. Proper headwalls shall be constructed within seven days of culvert installation.
8. Culvert outlets shall be protected in accordance with the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
9. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
10. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), projects involving alteration of less than 3,000 square feet in swamps or wet meadows that are not in prime wetlands or do not meet the requirements of Wt 303.02(k).
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2005-02748

PERRUZZI, JOSEPH & KATHERINE

CAMPTON Unnamed Wetland

Requested Action:

Dredge and fill 600 square feet of wetlands (30 linear feet of intermittent stream) to install a 24-inch x 30-foot CMP culvert for driveway access to a single family residence.

APPROVE PERMIT:

Dredge and fill 600 square feet of wetlands (30 linear feet of intermittent stream) to install a 24-inch x 30-foot CMP culvert for driveway access to a single family residence.

With Conditions:

1. All work shall be in accordance with plans by Abenaki Environmental dated October 10, 2005, as received by the Department on November 15, 2005.

2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. Work shall be done in dry conditions.
4. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
7. Proper headwalls shall be constructed within seven days of culvert installation.
8. Culverts shall be laid at original grade.
9. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(z), installation of a culvert and associated fill to permit vehicular access to a piece of property for a single family residence.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2005-02751 GALLUP REVOC TRUST, LINDA
WOLFEBORO Lake Winnepesaukee

Requested Action:

Repair an existing 10 ft by 43 ft permanent dock supported by three 9 ft by 8 ft cribs providing two boatslips on 115 ft of frontage on Lake Winnepesaukee, Wolfeboro.

Conservation Commission/Staff Comments:

Con Com signed Min Impact Exp Application

APPROVE PERMIT:

Repair an existing 10 ft by 43 ft permanent dock supported by three 9 ft by 8 ft cribs providing two boatslips on 115 ft of frontage on Lake Winnepesaukee, Wolfeboro.

With Conditions:

1. All work shall be in accordance with plans by Lakeshore Construction dated November 9, 2005, as received by the Department on November 17, 2005.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. This permit to replace or repair existing structures shall not preclude the Department of Environmental Services from taking any enforcement action or revocation action if the Department of Environmental Services later determines that these "existing structures" were not previously permitted or grandfathered.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
5. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
6. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas

shall be avoided.

7. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
8. Repair shall maintain existing size, location and configuration.
9. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(v), repair in-kind of existing docking structures.

TRAILS NOTIFICATION

2005-02878 STRATHDEE, GRANT
NEW DURHAM Unnamed Stream

LAKES-SEASONAL DOCK NOTIF

2005-02914 KENDALL, MARSHALL & LUCY
MILAN Cedar Pond

COMPLETE NOTIFICATION:

Milan Tax Map # 197B Lot # 40 Cedar Pond

ROADWAY MAINTENANCE NOTIF

2005-02919 NH DEPT OF TRANSPORTATION
DOVER

COMPLETE NOTIFICATION:

Roadway to replace 24" Concrete pipe with / 24"
HDPE Pipe.

2005-02923 NH DEPT OF TRANSPORTATION
AUBURN

COMPLETE NOTIFICATION:

Roadway Replacing Culvert (failed VCP)

PERMIT BY NOTIFICATION

2005-02792 TURCOTTE, LEONARD
BARRINGTON Unnamed Wetland

Requested Action:

Temporarily impact 145 square feet of wetlands for installation of an underground utility service to a single family home. The underground is necessary due to large overhead powerlines that prohibit going overhead at the existing ditch line.

Conservation Commission/Staff Comments:

Conservation Commission signed application.

PBN IS COMPLETE:

Temporarily impact 145 square feet of wetlands for installation of an underground utility service to a single family home. The underground is necessary due to large overhead powerlines that prohibit going overhead at the existing ditch line.

2005-02808 GRIEB, JEREMY & AMANDA
MIDDLETON Unnamed Stream Sunrise Lake

Requested Action:

Remove existing collapsed 12" culvert in driveway and replace with a new 12" x 24' poly culvert; total wetlands impact is 144 square feet.

Conservation Commission/Staff Comments:

Conservation Commission signed application.

PBN IS COMPLETE:

Remove existing collapsed 12" culvert in driveway and replace with a new 12" x 24' poly culvert; total wetlands impact is 144 square feet.

2005-02886 MICHAUD, JAMES
FREMONT Unnamed Wetland

Requested Action:

DES cannot approve PBN applications for subdivisions.

Conservation Commission/Staff Comments:

The Fremont Conservation Commission signed the PBN.

PBN DISQUALIFIED:

DES cannot approve PBN applications for subdivisions.